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Notice of Allowability**Application No.**

10/064,924

Applicant(s)STOLYAREVSKY, ANATOLY
YAKOVLEVICH**Examiner**

Frank M. Lawrence

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview of March 15, 2004.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ The drawings filed on 29 August 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Frank M. Lawrence
Primary Examiner
Art Unit: 1724

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Maria Eliseeva on March 15, 2004.

The application has been amended as follows:

In the Specification:

In the abstract, the last two complete sentences have been deleted, beginning with "The method of charging..." in line 10.

In line 1 of page 1, the following sentence has been inserted:

---This application is a continuation of international application no. PCT/RU01/00083, filed on February 26, 2001.---

In line 4 of page 6, "FIG.3" has been changed to ---FIG.3a---.

In line 24 of page 7, "FIG.3" has been changed to ---FIG.3a---.

In line 29 of page 7, "FIG.3" has been changed to ---FIG.3a---.

In the Claims:

Claim 1 has been replaced with the following substitute claim:

Claim 1. A gas storage capsule comprising:
a gas impermeable body with a sealed channel and a sorbent-free portion of the body;

particles of a sorbent material disposed inside the gas impermeable body; and

the sorbent-free portion being of sufficient volume to receive a predetermined amount of a solidified gas, which solidified gas is inserted into the gas impermeable body, wherein the solidified gas becomes a propellant gas when released by the gas storage capsule.

Claim 11 has been replaced with the following substitute claim:

Claim 11. A method of filling a capsule with a gas comprising:

placing a sorbent material into the capsule comprising a gas impermeable body, the gas impermeable body having a sorbent-free portion and being capable of releasing the gas and retaining the sorbent material inside the gas impermeable body;

placing a predetermined amount of a solidified gas into the sorbent-free portion, wherein the solidified gas becomes a propellant gas when released by the capsule; and sorbing the gas inside the gas impermeable body by the sorbent material.

2. The following is an examiner's statement of reasons for allowance: The claims have been amended as proposed by the applicant in an interview with the examiner to incorporate limitations that overcome the outstanding rejections and distinguish over the cited prior art. None of the cited prior art disclose or suggest a solidified gas within the sorbent-free portion wherein the solidified gas becomes a propellant gas when released by the capsule.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank M. Lawrence whose telephone number is 571-272-1161. The examiner can normally be reached on Mon-Thurs 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frank M. Lawrence
Primary Examiner
Art Unit 1724

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Frank Lawrence
3-15-04